

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF EXAMINERS OF
ELECTRICAL CONTRACTORS

IN THE MATTER OF THE
LICENSE OF

MICHAEL J. HOGAN
License #12367

TO PRACTICE ELECTRICAL
CONTRACTING IN THE STATE
OF NEW JERSEY

Administrative Action

FINAL ORDER
OF DISCIPLINE

This matter was opened to the New Jersey State Board of Examiners of Electrical Contractors ("the Board") upon receipt of information which the Board has reviewed and on which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Respondent is a licensed electrical contractor in the State of New Jersey, whose business permit expired on March 31, 2003, and who failed to renew that business permit. Respondent has renewed his license for both the 2003-2006 renewal cycle, as well as the 2006-2009 renewal cycle.

2. In the course of the Board's review of an application by Louis M. Jacob to take the licensure examination, a work experience certification signed by respondent indicated that Mr. Jacob performed electrical work for Bigler Associates from October 1, 1995 through March 15, 2006.

3. Respondent admitted in a letter to the Board dated April 17, 2006 that he had been engaging in electrical contracting without a business permit.

4. Respondent admitted that he had moved from his previous address of record of 240 Grande River Blvd., Toms River, NJ in 1999.
5. Respondent did not notify the Board that he had changed his address of record until his letter of April 17, 2006.
6. Respondent did not return his pressure seal until April 25, 2006.

CONCLUSIONS OF LAW

1. Respondent's conduct in engaging in electrical contracting without a valid business permit constitutes a violation of N.J.S.A. 45:5A-9, subjecting respondent to sanctions pursuant to N.J.S.A. 45:1-21(h).
2. Respondent's failure to return his pressure seal immediately upon the expiration of his business permit constitutes a violation of N.J.A.C. 13:31-3.3(c), subjecting respondent to sanctions pursuant to N.J.S.A. 45:1-21(h).
3. Respondent's failure to notify the Board within ten (10) days of a change in his address of record constitutes a violation of N.J.A.C. 13:31-1.8(a), subjecting respondent to sanctions pursuant to N.J.S.A. 45:1-21(h).

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on June 7, 2006, imposing a civil penalty in the amount of \$2,500 for respondent's violation of N.J.S.A. 45:5A-9, N.J.A.C. 13:31-1.8 and 13:31-3.3(c). A copy of the Order was forwarded to respondent by certified and regular mail at his address of record. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry unless respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and

all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

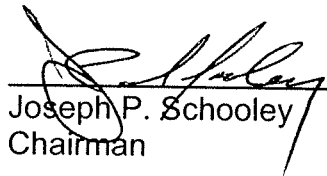
Respondent forwarded payment of \$2,500.00 to the Board in response to the Board, and did not contest the terms of the Order. Accordingly, the Board determined that further proceedings were not necessary, and that the Provisional Order should be made final.

ACCORDINGLY, IT IS on this 3rd day of January, 2006

ORDERED that:

1. A civil penalty in the amount of \$2,500 is hereby imposed upon respondent for his violation of N.J.S.A. 45:5A-9, N.J.A.C. 13:31-1.8 and N.J.A.C. 13:31-3.3(c). Inasmuch as respondent has already forwarded payment to the Board of this amount, no action is required on the part of respondent with regard to this provision.
2. Respondent shall cease and desist from engaging in electrical contracting until he has obtained a valid business permit, as required by of N.J.S.A. 45:5A-9.

STATE BOARD OF EXAMINERS
OF ELECTRICAL CONTRACTORS



Joseph P. Schooley
Chairman